

JOE WARDY  
MAYOR

JOYCE WILSON  
CITY MANAGER



## CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

PRESI ORTEGA, JR.  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

### REGULAR COUNCIL MEETING COUNCIL CHAMBERS FEBRUARY 22, 2005 9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Presi Ortega, Jr., Paul J. Escobar, Vivian Rojas and Anthony W. Cobos. Absent: None. Late Arrival: Paul J. Escobar arrived at 9:25 a.m. Early Departure: Mayor Wardy left at 11:03 a.m. and Mayor Pro-Tem Anthony W. Cobos presided. Mayor Pro-Tem Anthony W. Cobos left at 1:09 p.m. and Deputy Mayor Pro-Tem Paul J. Escobar presided after that. Meeting was called to order at 9:09 a.m. and the invocation was given by Pastor Ponce L. Brown, followed by the Pledge of Allegiance to the Flag of the United States of America.

### MAYOR'S PROCLAMATIONS

1. ***National Trio Day***
2. ***National FFA Week***
3. ***100 Year Celebration of the Bureau of Reclamation***

Motion made by Representative Cook, seconded by Representative Rojas and unanimously carried to **DELETE** the following item:

My issues involve discrimination, housing, Sun Metro and Animal Control/Police interaction. [Jeanne Stoakes]

Representative Escobar was not present for the vote.

**NO ACTION WAS TAKEN** regarding the discussion to present testimony on increasing incidents where El Paso Police agents enforced immigration laws by asking El Paso residents for legal status.  
[Fernando Garcia, Border Network for Human Rights]

Mr. Fernando Garcia, Border Network for Human Rights, explained that the Border Network for Human Rights collects data regarding human rights violations and racial profiling. He asked that the Council create a Human Rights Committee.

Ms. Betty Camargo, representing Poder de la Mujer, commented on an incident that occurred three weeks ago in front of her office building regarding a traffic stop by a police officer. She responded to comments and/or questions of the Council Members.

Police Chief Richard Wiles responded to comments made by Mr. Garcia and Ms. Camargo and responded to questions and/or comments made by the Council Members.

Mayor Joe Wardy and Representatives Cushing, Austin, and Lozano commented.

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Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to **RECESS** the City Council Meeting to discuss the Mass Transit Board Meeting at 9:43 a.m.

.....  
Motion made by Representative Cook, seconded by Representative Rojas and unanimously carried to **RECONVENE** the City Council Meeting from the Mass Transit Board Meeting at 9:58 a.m.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA** unless otherwise noted.  
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

Representative Lozano was not present for the vote.

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\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the **MINUTES** for the Regular City Council Meeting of February 15, 2005.

Representative Lozano was not present for the vote.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign a First Amendment to Fixed Base Operators Lease and Operating Agreement between the City of El Paso ("Lessor") and Cutter Aviation El Paso Limited Partnership ("Lessee") to increase the Tenant Improvement Area, decrease the Aircraft Parking Ramp and to adjust the Fixed Annual Rent effective March 1, 2005.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following grant application on behalf of the Arts and Culture Department for submission to the Texas Commission on the Arts (TCA) and to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by the TCA. This grant will be used for the Direct Funding program Sub-granting. The grant amount is as follows:

1. To request and receive \$35,000 to sub-grant to local arts organizations through the Sub-granting Program for FY 2006. No new matching funds are required.

.....  
**\*RESOLUTION**

**WHEREAS**, the JNC Development, Inc. is developing Loma Linda Unit 4 Subdivision, El Paso, El Paso, County, Texas, and

**WHEREAS**, the City has acquired Parcel 23 containing 3.26 acres, more or less, located in Lot 2, Block 2, Hueco View Acres, El Paso, El Paso County, Texas, as a ponding area, and

**WHEREAS**, the JNC Development, Inc. has requested permission to use the Parcel 23 as a pond for the Loma Linda Unit 4 Subdivision in accordance with City standards; and,

**WHEREAS**, the City agrees that in consideration for use and entry of the pond, the improvements will further the drainage in the area and is in the best interest of the City.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and JNC Development, Inc, to allow JNC Development, Inc. access to a City ponding area Lot 2, Block 2, Hueco View Acres, El Paso, El Paso, County, Texas to construct ponding area improvements. There is no cost to the City.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the following Housing Rehabilitation application and funding be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application.

Application No.: H04-12-IO/CD/RG-0322	HOME Loan:	\$ 139,712.00
	HOME Grant	<u>\$ 34,928.00</u>
	Total	\$ 174,640.00

Address: 221 Rio Grande (79902)  
Interest at zero percent (0%)

AND THAT the Mayor be authorized to sign a Community Development Investor-Owned Terms Contract between the City and owners Francisco and Eugenia Torres, and a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, Medson's Construction, Ltd., Co., and Francisco and Eugenia Torres, relating to a Community Development Rehabilitation Loan Application No. H04-12-IO/CD/RG-0322. Funding is available in (HOME Program Account: 09753-71150036 / G7102HM-505204 \$174,640.00.)

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Department of State Health Services.

EPI – Blood Lead Surveillance Group  
Document No. 7460007499-2005-05C, Contract Change No. 22

Change No. 22 increases the term of the grant from six months (7/1/04 to 12/31/04) to one year (7/1/04 to 6/30/05). It also increases the funding from \$25,000 to \$50,000.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Department of State Health Services:

DPIS – Public Health Nutrition  
Document No. 7460007499-2005-11A, Contract Change No. 31

Change No. 31 increases the term of the grant from three months (10/1/04 to 12/31/04) to one year (10/1/04 to 9/30/05). It also increases the funding from \$12,342 to \$28,526. No City Match required.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Texas Commission on Environmental Quality.

TCEQ PM 2.5 MONITORING  
Contract Number 582-5-55865, Amendment 1

This amendment increases the total compensation possible under the contract from \$72,000.00 to \$108,000.00. The District will operate two additional PM 2.5 Model 2025 Samplers. One of the samplers will be located at Ascarate and one at the University of Texas at El Paso. The District will operate a total of six samplers during the contract term from September 1, 2004 to August 31, 2005. No City Match required.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **DELETE** a Joint Use Agreement between the City of El Paso and the El Paso Water Utilities for the use of a 0.4039 acre portion of the 19.927 acre Pico Norte Park property for the construction and installation of an elevated water reservoir tank located in a portion of Lot 2, Block 32, Parkwood Subdivision Unit Eight, City of El Paso, County of El Paso, Texas, and a portion of Block 62, Vista Del Sol Subdivision Unit Eleven, City of El Paso, County of El Paso, Texas.

Representative Lozano was not present for the vote.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a Section 40, Block 80, Township 2, El Paso County, Texas to provide service to the new well at the Lonestar Golf Course located at 1510 Hawkins Blvd.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the pump at the LoneStar Golf Course, located at 1510 Hawkins Blvd., El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. One (1) 500 KVA transformer will be installed to service the electrical load.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

Representative Lozano was not present for the vote.

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **Marketing & Customer Relations Coordinator** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **5133**. The Grade shall be **PM 77**.

Representative Cushing asked questions of Ms. Terry A. Bond, Director of Human Resources.

Motion made by Representative Cushing, seconded by Representative Rojas and unanimously carried to **APPROVE** the above Resolution.

Representative Cobos was not present for the vote.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **Zoo Veterinarian** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **5131**. The Grade shall be **EX J**.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **Elephant Supervisor** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **9354**. The Grade shall be **GS 18**.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an amendment to the Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), executed on September 28, 2004, to expand the scope of services and increase the total compensation for completion of the project.

.....  
**\*REVISED RESOLUTION PROVIDING FOR THE 2005  
GENERAL ELECTION IN THE CITY OF EL PASO,  
CALLING FOR AN ELECTION OF OFFICERS**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. On Saturday, May 7, 2005, an election will be held in the City of El Paso for the purpose of electing the following named officers of the City of El Paso: a Mayor, Five Judges of the Municipal Courts, the Judge of the Municipal Court of Appeals, and eight District Representatives who are to be elected from Single-Member Districts Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

2. At such election, any candidate for the office of Representative shall file an application for a specific place on the ballot as a candidate from one of the eight single-member representative districts heretofore established by the City Council, such as "Representative, District No. 1," "Representative, District No. 2," "Representative District No. 3," etc. At the polling places in each Representative District the ballot in such election shall show the office of Representative for such district, the district number and the name of each candidate for office; and each Representative shall be elected by the voters in the district in which the person is a candidate.

3. Any candidate for the office of a Judge of the Municipal Court shall file an application for that specific place on the ballot, as "Judge, Municipal Court No. 1," "Judge, Municipal Court No. 2," "Judge, Municipal Court No. 3," etc., and the ballot in such election shall show each office of the Judge of the Municipal Court as a separate office by the municipal court number with the name of each candidate shown thereon under the specific office for which the person is a candidate.

4. Such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

5. The City Clerk of the City of El Paso shall be the clerk for early voting for said City election; and the County Courthouse, 500 E. San Antonio is hereby designated as the main early voting station for such election. In addition, the following branch offices, and/or any additional locations that might be added by the Elections Department, and hours for early voting by personal appearance shall be authorized for such election:

(Early voting shall be held weekdays from Wednesday April 20, 2005, thru Tuesday May 3, 2005 and on Saturday April 30, 2005 only at the branches identified below as: b, f, i, j, m, p, s. There is NO voting on Saturday April 23, 2005, Sunday April 24, 2005 and Sunday May 1, 2005. The hours for early voting at each early voting location are as noted below.)

Location:

Hours of voting:

a) Anthony City Hall  
401 Oak St.

weekdays only - 8:30 am - 4:30 pm

b) Bassett Center  
6101 Gateway West

weekdays-9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

c) Borrego Elementary School weekdays only- 8:00 am – 5:00 pm  
13300 Chicken Ranch Rd.

d) Burgess Library  
9600 Dyer

weekdays only - 9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

e) Canutillo Elementary School  
651 Canutillo Ave.

weekdays only - 8:30 am - 4:30 pm

f) Carolina Recreation Center  
563 N. Carolina

weekdays - 9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

g) Clint Junior High School  
13000 Alameda

weekdays only - 8:00 am – 5:00 pm

h) Courthouse  
500 E. San Antonio Ave.

weekdays only - 8:00 am - 5:00 pm

i) Dieter Plaza Shopping Strip  
1605 George Dieter

weekdays 9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

j) Festival Crossing  
5380 N. Mesa

weekdays - 9:00 am – 6:00 pm  
Saturday, April 30-10am – 6 pm

k) Montana Vista Elementary  
3550 Mark Jason

weekdays only - 8:00 am – 5:00 pm

l) Montwood High School  
1200 Montwood Dr.

weekdays only - 8:00 am - 5:00 pm

m) Vista Hills Shopping Center  
1840 N. Lee Trevino

weekdays - 9:00 am – 6:00 pm  
Saturday, April 30-10am – 6 pm

n) Oz Glaze Senior Center  
1396 Veny Web, Horizon

weekdays only - 8:00 am - 5:00 pm

o) Pavo Real Recreation Center  
9301 Alameda

weekdays only - 9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

p) Promenade Shopping Strip  
7500 N. Mesa

weekdays 9:00 am - 6:00 pm  
Saturday, April 30-10am – 6 pm

q) Rogelio Sanchez Center  
1331 N. Fabens St.

weekdays only - 9:00 am - 5:00 pm

- r) Socorro High School                      weekdays only - 8:00 am - 5:00 pm  
10150 Alameda
- s) Sunrise Shopping Center                      weekdays - 9:00 am - 6:00 pm  
8500 Dyer    Saturday, April 30-10am – 6 pm
- t) Vinton Village Hall                              weekdays only - 3:00 pm – 6:00 pm  
436 Vinton Rd.

In addition, mobile voting stations shall also be authorized and used for early voting, as set forth in Exhibit B, which includes the respective hours for early voting by personal appearance at these stations, to include mobile voting stations on Saturday, April 30, 2005 at the locations of Saint Thomas Aquinas church, 10970 Bywood (10:00 am – 1:30 pm); All Saints Catholic Church (10:00 am – 1:30 pm); St. Marks Catholic Church (2:30 pm – 6:00 pm); and St Frances Cabrini Church, 12200 Vista Del Sol (2:30 pm – 6:00 pm).

Applications to apply for a ballot by mail shall be submitted to the Early Voting Clerk no earlier than March 8, 2005 and no later than the close of business on April 29, 2005 at the following address:

Ms. Helen Jamison  
Deputy Early Voting Clerk  
500 E. San Antonio, Room 402  
El Paso, TX 79901

6. The Mayor sign an order appointing election officials and a special canvassing board shall be appointed as provided by law, to count and canvass all early votes and ballots cast at said election.
7. A runoff election shall be held, if required, on Saturday, June 4, 2005, Saturday, June 11, 2005, or other date permitted by the Texas Election Code. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.
8. The terms of office for all officers elected at the General Election, or any runoff election, shall commence on June 14, 2005 or such other date as the City Council may lawfully establish.
9. Electronic voting machines shall be used for voting at the regular polling places in such election, and for the casting of early ballots by persons voting early by personal appearance and by mail.
10. Such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters of the City are authorized to vote.
11. By approving and signing this ordinance, the Mayor officially confirms as his action all matters recited herein which by law come within his jurisdiction.
12. A substantial copy of this ordinance shall serve as proper notice of said election.
13. The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish at the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in the official newspaper of the City as required by law.



## **EXHIBIT A**

### **GENERAL ELECTION PRECINCTS AND POLLING PLACES**

**May 7, 2005**

<b><u>PCT #</u></b>	<b><u>POLLING PLACE</u></b>	<b><u>ADDRESS</u></b>
5	Fire Station #2	111 E. Borderland Rd.
6	Tennis West	1 Tennis West Ln.
7	Lincoln Middle School	500 Mulberry Ave.
8	Fire Station #15	115 Shorty Ln.
9	Zach White Elementary School	4256 Roxbury Dr.
10	Roberts Elementary School	341 Thorn Ave.
11	Olga Kohlberg Elementary School	1445 Nardo Goodman Dr.
12	Dr. M. D. Hornedo Middle School	825 Redd Rd.
13	Fire Station #27	6767 Ojo De Agua Dr.
14	Rosa Guerrero Elementary School	7530 Lakehurst R.
15	Franklin High School	900 N. Resler Dr.
16	Monte Vista Retirement Center	1575 Belvidere St.
17	White Acres Good Samaritan Village	7304 Good Samaritan Ct.
18	Polk Elementary School	940 Belvidere St.
19	Peace Lutheran Church	5890 Via Cuesta Dr.
20	Fire Station #22	6500 N. Mesa St.
21	Carlos Rivera Elementary School	6445 Escondido Dr.
22	Western Hills U. M. Church	524 Thunderbird Dr.
23	Dr. Green Elementary School	5430 Buckley Dr.
24	Putnam Elementary School	6508 Fiesta Dr.
25	Putnam Elementary School	6508 Fiesta Dr.
26	Zach White Elementary School	4256 Roxbury Dr.
27	Polly Harris Senior Citizen Center	650 Wallenberg Dr.
28	Polly Harris Senior Citizen Center	650 Wallenberg Dr.
29	L. B. J. (Johnson) Elementary School	499 Cabaret Dr.
30	Mesita Elementary School	500 Alethea Park Dr.
31	Mesita Elementary School	500 Alethea Park Dr.
32	Mesita Elementary School	500 Alethea Park Dr.
33	El Paso Tennis Club	2510 N. St. Vrain St.
34	Vilas Elementary School	220 Lawton Dr.
35	Father Pinto Complex	1001 S. Ochoa St.
36	Fire Station #3	721 E. Rio Grande Ave.
37	Sun Plaza Housing	1221 E. San Antonio Ave.
38	Lamar Elementary School	1440 E. Cliff Dr.
39	Career & Technology Center	1170 Walnut St.
40	Beall Elementary School	320 S. Piedras St.
41	Dr. Nixon Elementary School	11141 Loma Roja Dr.
42	Bradley Elementary School	5330 Sweetwater Dr.
43	Bradley Elementary School	5330 Sweetwater Dr.
44	H. E Charles Middle School	4909 Trojan Dr.
45	Fannin Elementary School	5425 Salem Dr.
46	Desertaire Elementary School	6301 Tiger Eye Dr.
47	Desertaire Elementary School	6301 Tiger Eye Dr.
48	El Paso Korean U.M.C.	4925 Fairbanks Dr.
49	Collins Elementary School	4860 Tropicana Ave.

50	Newman Elementary School	10275 Alcan St.
51	Parkland High School	5932 Quail Ave.
52	Whitaker Elementary School	4700 Rutherford Dr.
53	Dowell Elementary School	5249 Bastille Ave.
54	Fire Station #23	5315 Threadgill Ave.
55	Dolphin Terrace Elementary School	9790 Pickerel Dr.
56	Crosby Elementary School	5411 Wren Ln.
57	Fire Station #16	3828 Hercules Ave.
58	Park Elementary School	3601 Edgar Park R.
59	Wainwright Elementary School	4500 Lawrence Ave.
60	Magoffin Middle School	4931 Hercules Ave.
61	Stanton Elementary School	5414 Hondo Pass Dr.
62	Logan Elementary School	3200 Ellerthorpe Ave.
63	Burnet Elementary School	3700 Thomason Ave.
64	Travis Elementary School	5000 N. Stevens St.
65	Kathy White Housing Complex	2500 Mobile Ave.
66	Sacramento Senior Citizen Center	3134 Jefferson Ave.
67	Fire Station # 12	3801 Fort Blvd.
68	EMS Station #5	2201 N. Piedras St.
69	Memorial Park Senior Citizen Center	1800 Byron St.
70	Austin High School	3500 Memphis Ave.
71	Coldwell Intermediate School	4101 Altura Ave.
72	Fire Station #7	3200 Pershing Dr.
73	New Life Church	4700 Leeds St.
74	Fire Station #13	5415 Trowbridge Dr.
75	Fire Station #13	5415 Trowbridge Dr.
76	Chelsea Plaza Housing	600 Chelsea St.
77	Fire Station #5	4240 Alameda Ave.
78	Burleson Elementary School	4400 Blanco Ave.
79	San Juan Recreation Center	701 N. Glenwood Dr.
80	Hawkins Elementary School	5816 Stephenson Ave.
81	Henderson Middle School	5505 Robert Alva Ave.
82	Clardy Elementary School	5508 Delta St.
83	Fire Station #14	6300 Delta St.
85	Bonham Elementary School	7024 Cielo Vista Dr.
87	Bonham Elementary School	7024 Cielo Vista Dr.
88	Fire Station #20	8301 Edgemere Blvd.
89	Mac Arthur Elementary School	8101 Whitus Dr.
90	Cielo Vista Park Elementary School	9000 Basil Ct.
91	Scotsdale Elementary School	2901 McRae Blvd.
92	Edgemere Elementary School	10300 Edgemere Blvd.
93	Scotsdale Baptist Church	10015 Lockerbie Ave.
94	Eastpoint Elementary School	2400 Zanzibar St.
95	Fire Station #19	2405 McRae Blvd.
96	Eastwood Heights Elementary School	10530 Janway Dr.
97	Pebble Hills Elementary School	11145 Edgemere Blvd.
98	Pebble Hills Elementary School	11145 Edgemere Blvd.
99	Fire Station #25	10834 Ivanhoe Dr.
100	YWCA – East	10712 Sam Snead Dr.
101	Vista Hills Elementary School	10801 La Subida Dr.
102	Fire Station #24	1498 Lomaland Dr.
103	Indian Ridge Middle School	11201 Pebble Hills Blvd.
104	Glen Cove Elementary School	10955 Sam Snead Dr.
105	Hanks High School	2001 Lee Trevino Dr.
106	Tierra Del Sol Elementary School	1832 Tommy Aaron Dr.

107	Desert View Middle School	1641 Billie Marie Dr.
108	Vista Ysleta United Methodist Church	11860 Rojas Dr.
109	Jane Hambric Elementary School	3535 Nolan Richardson Dr.
110	Word of Life Church	11675 Pratt Dr.
111	Lujan Chavez Elementary School	2200 Sun Country Dr.
112	Benito Martinez Elementary School	2640 Robert Wynn Dr.
113	Benito Martinez Elementary School	2640 Robert Wynn Dr.
114	Helen Ball Elementary School	1950 Firehouse Dr.
115	Irving Schwartz Public Library	1865 Dean Martin Dr.
116	Montwood High School	12000 Montwood Dr.
117	Vista Del Sol Elementary School	11851 Vista Del Sol Dr.
118	Myrtle Cooper Elementary School	1515 Rebecca Ann Dr.
119	Sierra Vista Elementary School	1501 Bob Hope Dr.
120	Americas High School	12101 Pellicano Dr.
121	Ramona Elementary School	351 Nichols Rd.
122	Del Norte Heights Elementary School	1800 Winslow Rd.
123	Ramona Elementary School	351 Nichols Rd.
124	Ascarate Elementary School	7090 Alameda Ave.
125	Cedar Grove Elementary School	218 Barker Rd.
126	Ranchland Hills Middle School	7615 Yuma Dr.
127	Hacienda Heights Elementary School	7530 Acapulco Ave.
128	Mesa Vista Elementary School	8032 Alamo Ave.
129	Northloop Elementary School	412 Emerson St.
130	Fire Station #18	7901 San Jose Rd.
131	Riverside High School	301 Midway Dr.
132	Thomas Manor Elementary School	7900 Jersey St.
133	Loma Terrace Elementary School	8200 Ryland Ct.
134	Loma Terrace Elementary School	8200 Ryland Ct.
135	Marian Manor Elementary School	8300 Forest Haven Ct.
136	Pasodale Elementary School	8253 McElroy Ave.
137	Alicia R. Chacon School	221 Prado Rd.
138	Valley View Middle School	8660 North loop Dr.
139	Robert F. Kennedy Pre-K Center	9009 Alameda Ave.
140	Capistrano Elementary School	240 Mecca Dr.
141	LaBarron Park Elementary School	920 Burgundy Dr.
142	Del Valle High School	950 Bordeaux Dr.
143	Lancaster Elementary School	9230 Elgin Dr.
144	Pavo Real Rec. Center	9301 Alameda Ave.
145	South Loop Elementary School	520 Southside Rd.
162	Scottsdale Elementary School	2901 McRae Blvd.
164	Bonham Elementary School	7024 Cielo Vista Dr.
165	Lujan Chavez Elementary School	2200 Sun Country

**EXHIBIT B  
MOBILE VOTING  
CITY AND SCHOOLS ELECTION  
MAY 7, 2005  
EARLY VOTING APRIL 20-MAY 3, 2005**

<b>DATE</b>	<b>MOBILE #1</b>	<b>MOBILE #2</b>
April 20, 2005 Wednesday 9:00 – 4:00	South El Paso Senior Center 600 S. Ochoa	Washington Senior Center 4451 Delta
April 21, 2005 Thursday 8:00 – 5:00	Las Palmas Medical Center 1801 N. Oregon	El Paso Police Headquarters 911 N. Raynor
April 22, 2005 Friday 8:00 – 6:00	Thomason Hospital 4815 Alameda Auditorium	El Paso Fire Administration 6800 Montana
April 25, 2005 Monday 8:00 – 5:00	Del Sol Medical Center 10301 Gateway West	La Fe Clinic 700 S. Ochoa
April 26, 2005 Tuesday 8:00 – 5:00	Texas Gas Service 4700 Pollard	El Paso City Hall 2 Civic Center
April 27, 2005 Wednesday 9:00 – 4:00	UTEP E. Student Union Bldg.	Good Samaritan Towers 7750 Lilac Way
April 28, 2005 Thursday 9:00 – 5:00	Jobe Concrete 1 McKelligon Canyon Rd.	EPCC- Valle Verde 919 Hunter
April 29, 2005 Friday 9:30 – 6:00	Govt. Employees Credit Union 7227 Viscount	Govt. Employees Credit Union 10435 Vista Del Sol
April 30, 2005 Sat. 10:00 – 1:30	Saint Thomas Aquinas Church 10970 Bywood	All Saints Catholic Church 1415 Dakota
Saturday (cont.) 2:30 – 6:00	St. Marks Catholic Church 11700 Pebble Hills	St. Frances Cabrini Church 12200 Vista Del Sol
May 2, 2005 Monday 8:00 – 5:00	EPCC-Trans Mountain 9570 GATEWAY NORTH	Helen of Troy No. 1 Helen of Troy Plaza
May 3, 2005 Tuesday 9:30 – 6:00	EPCC Rio Grande Campus 100 W. Rio Grande	GECU 11987 Rojas

\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **DELETE** the Resolution that the Mayor be authorized to sign an Agreement between the City of El Paso and Sexual Trauma and Assault Response Services to provide outreach emergency counseling and follow-up public health services for the reported victims of sexual assault in the amount of \$60,000.00. The term of this Agreement, regardless of the date of execution, shall be September 1, 2004 through August 31, 2005. General Fund #01101 Account#21010061-502215

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request for the following name to be placed on the **REINSTATEMENT LIST** in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Garing, Cheryl – Horticulturist

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the **STAFFING TABLE CHANGE** for Airport

Add	1.00	Marketing & Customer Relations Coordinator	PM 77
Delete	1.00	Airport Public Relations Coordinator	PM 75

Fund Source: 62620001-40101-62000

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the **STAFFING TABLE CHANGE** for Mass Transit

Add	1.00	Marketing & Customer Relations Coordinator	PM 77
Delete	1.00	Transit Community Relations Manager	PM 75

Fund Source: 60600001-40345-60000

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the **STAFFING TABLE CHANGE** for Zoo

Add	1.00	Zoo Veterinarian	EX J
Delete	1.00	Zoo Veterinarian	PM 80

Fund Source: 52010245-01101-52000

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **RE-APPOINT** Emily Garcia Heaton to the Ethics Review Commission by Representative John F. Cook, District 4.

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPOINT** Thomas Cantwell to the Community Development Steering Committee by Representative Robert A. Cushing, Jr., District 2. (Serving an un-expired term).

Representative Lozano was not present for the vote.

.....

\*Motion made by Representative Cobos, seconded Representative Cook and unanimously carried to **APPOINT** Jesus Lira to the Workforce Retraining Advisory Committee by Representative Paul J. Escobar.

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** installation, power, and maintenance of residential street light at the following location:

Between 3512 Murray & 700 Mesita                      Cost \$899.00  
Account #504420, Dept. ID 01153001, Fund 16501, Project PD10422

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request authorizing to allocate \$500.00 from District 4 Discretionary Funds to the El Paso Public Library to co-sponsor Dia De Los Niños/Dia De Los Libros. Department ID #01010004; Account #504420; Fund #16509; Class #01001.

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE, AS REVISED**, the request to allocate \$500 from District VII Discretionary funds to the 2005 El Paso Golden Gloves tournament to cover the travel expenses for the winner of the El Paso Golden Gloves tournament which is sponsored by the El Paso Golden Gloves Association and the City of El Paso in exchange for promotional services to be performed by the winner and all other representatives of the El Paso Golden Gloves Association, a local franchise organization of USA Boxing Association Inc., attending the tournament, and that the Mayor be authorized to sign and the City Attorney's Office negotiate an agreement with the Association subject to the approval of the City Manager to establish the quantity and type of promotional services that will serve a municipal purpose of adequate value to the City for the amount of the expenditure, provided that such agreement can be reached on or before February 25, 2005. The tournament is to be held in Ft. Worth, Texas. Dept ID#01153010, Acct#504420, Fund #16507

Representative Lozano was not present for the vote.

NOTE: Request was revised.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** Change Order No. 11 (Construction Change) to Samcorp General Contractors for Contract No. 2004-045, New Marty Robbins Recreation Center and Pool Enclosure project for an increased amount of \$65,048.55. Change Order also adds ninety (90) days to the contract time. The purpose of this change order is to install an outdoor basketball court on the eastern side of the recreation center, to include a concrete slab, backboards, benches and concrete poles with lights. This change was requested by the Parks and Recreation Department.

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request to authorize the Director of Purchasing to continue providing service of the Beverage Concession for the El Paso Zoo, with Pepsi Bottling Group on a month-to-month basis, until a interim agreement is approved by Mayor and Council.

Coca Cola has advised SSA and the Zoo that they are phasing out fountain support for their products. SSA is not in a position to discontinue fountain service.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager or the Mayor be authorized to execute any related contract documents and interim agreements necessary during the period.

This is a revenue agreement only with no expenditure of funds necessary.

ACCOUNT NO.: Revenue  
FUNDING SOURCE: Revenue  
DEPARTMENT: Zoo

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **AWARD, AS REVISED**, Best Value Procurement Solicitation No. 2005-091 Janitorial Services for Lincoln Center

Representative Lozano was not present for the vote.

Award to: Carefree Janitorial Service  
El Paso, TX  
Item (s): All  
Amount: \$12,465.00 (estimated yearly)  
  
Department: Parks & Recreation  
Funds available: 51010256-51510024-01101-16324-502206  
Funding source: Lincoln User Fee & Facilities Maintenance General Fund Accounts  
Total award: \$37,395.00 (estimated)

Parks & Recreation, Center Staff, and Purchasing recommend award as indicated, Carefree Janitorial Services provided and meets the Best Value Criteria.

This is a thirty-six month contract with no option to renew, Carefree Janitorial Services offers a 1% 10 Days Prompt Payment Discount.

NOTE: Funding Source was revised.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2005-072 City Hall 6<sup>th</sup> Floor Remodel

Representative Lozano was not present for the vote.

Contractor: Matyear Construction Co., Inc.  
El Paso, Texas  
  
Department: Building and Planning Services  
Funds Available: 31260001-60615-PPWFA03009-508027  
Funding Source: FY03 Certificates of Obligation  
Items: Base Bid \$85,888.00  
Total Award: \$85,888.00

The Departments of Engineering and Building and Planning Services recommend the award of this contract to Matyear Construction Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

This project consists of the remodeling the portion of the City Hall building 6<sup>th</sup> floor. O.M.B. Department will be relocating to this office space. Square footage renovated is 6,285 sq. ft. Cost per sq. ft for renovation is \$14.77.

*Construction work includes, but is not limited to:*

Site Demolition Removal and disposal of existing walls, disconnect and removal of existing electrical outlets and switches and computer outlets and telephones. Removal and relocations of existing door assemblies.

New Construction New typical wall construction. Tape, texture and paint existing, patched and new walls, and existing gyp. board ceiling area as required. Provide new door and frame complete assemblies as required. Repair and paint existing, relocated and new doors. Replace damaged suspended ceiling with new to match existing.

Installation of new mechanical diffusers, light switches, power and data/communications outlets. Provide all new cable CAT 6 for data/communications from data room to indicated outlet.

Provide new kitchen cabinets, sink and faucet to comply with T.D.A. Provide new complete plumbing piping connection; provide new soap dispenser and paper towel dispenser. Provide new pre-finished wood shelving w/supports at new storage room.

Adjustments and relocation of existing mechanical diffusers, light fixtures and electrical outlets. Carpet & wall base to be installed by others.

The space is currently awaiting renovation as Municipal Services functions have relocated.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **MOVE TO THE REGULAR AGENDA** Best Value Procurement Solicitation No. 2005-074 City Hall 9<sup>th</sup> Floor Renovation.

Representative Lozano was not present for the vote.

The following City staff members commented:

1. Mr. Byron Johnson, Director of Purchasing
2. Ms. Joyce Wilson, City Manager
3. Ms. Patricia Adatao, Deputy City Manager for Building and Planning Services
4. Ms. Lisa A. Elizondo, City Attorney

Representatives Cobos, Lozano, Ortega, Escobar, Cushing, Rojas, Cook and Austin commented.

**1<sup>st</sup> Motion:**

Motion made by Representative Lozano, seconded by Representative Cushing and **NOT CARRIED TO POSTPONE TWO (2) WEEKS** Best Value Procurement Solicitation No. 2005-074 City Hall 9<sup>th</sup> Floor Renovation.



## THE MOTION FAILED.

AYES: Representatives Cushing and Lozano

NAYS: Representative Austin, Cook, Ortega, Escobar, Rojas and Cobos

### **2<sup>ND</sup> Motion:**

Representative Cook moved to approve. There was no second.

### **3<sup>rd</sup> Motion:**

Representative Lozano moved to postpone two (2) weeks. There was no second.

### **4<sup>th</sup> Motion:**

Representative Cook moved to postpone one (1) week, Representative Lozano seconded. Representative Cook withdrew his motion to allow Representative Ortega to comment.

### **5<sup>th</sup> and Final Motion:**

Motion made by Representative Cushing, seconded by Representative Rojas and **CARRIED TO POSTPONE TWO (2) WEEKS** Best Value Procurement Solicitation No. 2005-074 City Hall 9<sup>th</sup> Floor Renovation

AYES: Representatives Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos

NAY: Representative Austin

Contractor:	Jan-Car, Inc.
	Horizon City, Texas
Department:	Building and Planning Services
Funds Available:	PPWFA03009-31260001-60615-508027, \$24,586.40
	FY03 Certificates of Obligation
	PPWFA03009-31118111-27035-508027, \$49,421.98
	1993 Certificates of Obligation
	PPWFA03009-31134000-27101, 27102 & 27105 508027, \$40,529.33
	1997A Certificates of Obligation
	PPWFA03009-31250102-27178-508027, \$106,161.35
	2000 Certificates of Obligation
	PPWFA03009-31250102-27179-508027, \$15,929.94
	2000 Certificates of Obligation
Items:	Base Bid II \$236,629.00
Total Award:	\$236,629.00

The Departments of Engineering and Building and Planning Services recommend the award of this contract to Jan-Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

The work is to take place inside the 9<sup>th</sup> floor of City Hall, located at Two Civic Center Plaza, El Paso, Texas. This project will provide for furnishing and complete installation of an automated file system for the City Attorney's office. Additionally, 2 renovated offices for City Attorney's Department, space for the City Manager's Department and the Deputy City Manager's offices will be renovated. The total area renovated, not inclusive of the filing system space, is 8,548 sq ft at a per sq. ft cost of \$20.64.

The work consists of interior demolition work including removal of carpet.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, finishes, vinyl composition tile, paint, ceilings, etc., window blinds, operable metal storage system, HVAC, plumbing, electrical power, lighting, and special systems. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, shelving, kitchen cabinets, finishes – paint and ceilings, HVAC, plumbing, electrical power and lighting. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system. Contractor will not provide carpet and cove base.

The City Manager and staff will be relocating to the 9<sup>th</sup> floor. This will allow for future 10<sup>th</sup> floor reconfiguration to create a central reception area for visitors to 10th floor offices, additional conference room meeting spaces for City Council and staff other improvements and efficiencies in telephone and support services.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **MOVE TO THE REGULAR AGENDA** Request For Proposal Solicitation No. 2005-094R Sexual Assault Services For The Police Department.

Representative Lozano was not present for the vote.

Representatives Austin, Cobos, Rojas and Escobar commented.

Police Chief Richard Wiles commented.

Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried to **AWARD** Request For Proposal Solicitation No. 2005-094R Sexual Assault Services For The Police Department

Award to:	Tenet Hospitals Limited d/b/a Sierra Medical Center El Paso, TX
Item (s):	All
Amount:	\$100,750.00 (estimated yearly)
Department:	Police
Funds available:	21010071-01101-502111
Funding source:	Operating Account, Health Care Providers
Total award:	\$302,250.00 (estimated)

Police Department, Staff, and Purchasing recommend award as indicated, Tenet Hospitals Limited d/b/a Sierra Medical Center, provided the sole proposal that meets all requirements of the RFP.

This is a thirty-six month contract with no option to renew.  
.....

\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid Solicitation No. 2005-028 Structural & Proximity Fire Fighting Clothing

Representative Lozano was not present for the vote.

Vendor 1:	F & F Supply Company, Inc. Big Lake, Texas
Item(s):	1A, 1B, 1B1, 1B3, 5, 7, & 8
Amount:	\$50,000.00 (estimated annually)
Vendor 2:	DZ Technologies, Inc. Dallas, Texas
Item(s):	2A, 2B, 3 & (3A optional)
Amount:	\$50,000.00 (estimated annually)
Vendor 3:	Municipal Emergency Services, Inc. Houston, Texas
Item(s):	#6
Amount:	\$5,000.00 (estimated annually)
Vendor 4:	Anclore Fire & Safety, Inc. Tarpon Spring, Florida
Item(s):	#4
Amount:	\$2,000.00 (estimated annually)

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Items # 1A1, 1A2 & 1B2 will not be awarded, the department has no longer need of them Option to extend contract will not be accepted to any part of this contract by the Fire Department. This is due to changes within the Department and NFPA.

No prompt payments offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

Department:	Fire
Funds available:	220010101-503123-01101
Funding source:	Fire Department General Operation Fund
Total award:	\$214,000.00 (estimated)

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **AWARD** Bid Solicitation No. 2005-090 30-Cubic Yard Roll-Off Containers

Representative Lozano was not present for the vote.

Award to:	Industrial Maintenance Specialists El Paso, Texas
Item (s):	All
Amount:	\$140,284.48

Department: Solid Waste Management  
Funds available: 34150062-508004-07121-G340402 (\$21,919.45)  
34340200-508029-40415 (\$118,365.03)  
Funding source: Grant – Equipment FY 2004  
Solid Waste Capital Equipment GO Bonds 2004  
Total award: \$140,284.48

The Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

Lower bids were received but were deemed non-responsive as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase thirty-two (32) 30-Cubic Yard Roll-Off Containers for the Solid Waste Management Department. Neither an option to purchase additional quantities nor a prompt payment discount was offered.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-651 BUILDING AND PLANNING SERVICES  
Building and Planning Services proposes to appropriate \$265,457.50 to Wenda Way Street and Drainage project. Funding source is reimbursed expenditures from EPWU.

Increase	\$265,457.50 to	31255008/PBE04ST14127695/405067	ReimbExpend
Increase	\$265,457.50 to	31255008/PBE04ST14127695/508027	Construction

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-653 BUILDING AND PLANNING SERVICES  
Building and Planning Services proposes to appropriate \$159,424.10 to the Indian Place Street and Drainage project. Funding source is reimbursed expenditures from EPWU.

Increase	\$159,424.10 to	31255008/PBE04ST11227695/405067	ReimbExpend
Increase	\$159,424.10 to	31255008/PBE04ST11227695/508027	Construction

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-655 MUNICIPAL CLERK  
Increase technology appropriation as a drawdown from the dedicated revenue court technology fund for the purchase of digital scanning software and hardware. This product will enhance records management in court operations by allowing court documents to be scanned and stored electronically at the point of receipt and retrieved when necessary.

Increase	\$170,000	to	11153060/PMC000116011/404059	MunCtTecFee
Increase	\$170,000	to	11153060/PMC000116011/508010	DataProcEq

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-664 BUILDING AND PLANNING SERVICES  
Building and Planning Services proposes to appropriate \$91,321.98 to Edgemere Blvd Extension project. Funding source is reimbursed expenditures from EPWU.

Increase	\$91,321.98 to	31255008/PPWST0302227695/405067	ReimbExpend
Increase	\$91,321.98 to	31255008/PPWST0302227695/508027	Construction

Representative Lozano was not present for the vote.

\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-668 PARKS AND RECREATION

This budget transfer requests a new appropriation to paint the exterior and interior of the Pavo Real Recreation Center. Parks personnel will provide labor.

Increase	\$1,500	to	51510115/P50021216312/407002	EstRev
Increase	\$1,500	to	51510115/P50021216312/508003	BldgImprv

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** budget transfer BT2005-677 AIRPORT

Transfer of funds to cover the cost of replacing ground power units to two loading bridges. Units are non-operational and spare parts are not available. Units are required to provide electrical power to aircraft that are parked at the loading bridges when the aircraft engines are not running.

Increase	\$100,000	to	62620005/40101/502226	BldgFacMaint
Increase	\$100,000	to	62620005/40101/407001	Intrafd Trf In
Increase	\$100,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$100,000	to	62620018/P50000241021/507001	Intrafd Trf Out

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request of Westside Community Church to use amplification (4 speakers & 8 microphones from 35 k generator) at Francisco Delgado Park on March 26, 2005 from 12:00 p.m. to 4:00 p.m. for a free concert. Approximately 15 persons will take part and 500 spectators are anticipated. PERMIT NO. 05-009 [Joe Williams]

Representative Lozano was not present for the vote.

.....  
Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A.** An Ordinance granting a Special Privilege permitting Mario Hernandez, Hector Cobos, Jr., Eber Martinez, Maria Cobos, Margarita Cobos, Juan Torres, Pedro Orona, Hector Cobos, Maria Prieto, Maria Grado, Jack Kellog, Jesus Hernandez, Eusebio Coronel, Victor Ochoa, Carmen Cox, Maria Chavez, Eunise Morales, Maria Barraza, Santiago Aguilar and Brandon Palma to encroach onto a portion of various public rights-of-way with a food-vending concession in the Downtown area. (*Annual Fees: \$1,100.00 or \$880.00 per location, SP-05001*)
- B.** An ordinance authorizing the Mayor to sign a lease agreement between the City of El Paso and Sunset Heights Assets Reaching Everyone ("SHARE") for the lease of a portion of the Armijo Community Center, located at 710 East Seventh Street, El Paso, El Paso County, Texas, for the purpose of operating a youth initiative center that facilitates youth's ability to succeed in personal growth, family unity and community strength for a term of two (2) years.

#### **PUBLIC HEARING WILL BE HELD ON MARCH 8, 2005 FOR ITEMS A – B**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Item: Discussion and action on a Resolution that the Mayor be requested to execute an Ordinance for the City of El Paso to initiate an R-3 Zoning in each of the four parcels of land which the El Paso Water Utilities has just released for development in Northeast El Paso; that all parcels of land be limited from any commercial development; that all parcels of land be developed as per the City of El Paso Master Plan for Northeast El Paso, and that only two parcels of land, Parcel A & D, be considered for any multi-family dwellings.

The following members of the public commented:

1. Mr. Joel Bay, President, North Hills Neighborhood Pride Association
2. Mr. Clifford Ellis

Mayor Joe Wardy and Representatives Cook, Austin, Lozano, Cushing, Cobos, Ortega, and Rojas commented.

The following City staff members commented:

1. Mr. Rudy Valdez, Chief Urban Planner
2. Mr. Matt Watson, Assistant City Attorney
3. Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation (on file in the City Clerk's office).

Motion made by Representative Rojas, seconded by Representative Cobos and unanimously carried to **MOVE** the item to the Planning, Research and Development **LEGISLATIVE REVIEW COMMITTEE** Meeting after the property is sold.

.....  
RESOLUTION

WHEREAS, Chuck Heindrick Park in Northeast El Paso is the site of a memorial for fallen officers of the El Paso Police Department;

WHEREAS, This memorial is in need of repairs and/or remodeling;

WHEREAS, The El Paso Municipal Police Officers Association has graciously donated Eighteen Thousand Dollars (\$18,000) to this cause;

WEREAS, The North Hills Neighborhood Pride Association has committed Two Thousand Five Hundred Dollars (\$2,500) for this cause;

WHEREAS, Northeast City Representative, John F. Cook, has also committed the amount of Eighteen Thousand Dollars (\$18,000) from City Discretionary Funds to complete this important project;

THEREFORE, BE IT RESOLVED That the Mayor and the City of El Paso fully accept the donations from the El Paso Municipal Police Officers' Association in the amount of EIGHTEEN THOUSAND DOLLARS (\$18,000); and a donation in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) from the North Hills Neighborhood Pride Association to help with this remodeling of the Police Memorial;

BE IT RESOLVED that the Mayor and City of El Paso support the use of \$18,000 from District #4 Discretionary Funds to help complete this project;

BE IT RESOLVED that the City Manager hereby make the necessary budget adjustment to carry out the intent of this resolution.

Mr. Joel Bay, President, North Hills Neighborhood Pride Association presented the Council with a check in the amount of \$2,500.00 to remodel the Police Memorial at Chuck Heindrick Park.

Mr. Chris McGill, President, El Paso Municipal Police Officers Association, explained the Association donated \$18,000.00 to the City of El Paso to make the necessary repairs to the Police Memorial.

Representative Cook thanked Messrs. Bay and McGill for the generous donations from their Association's and commended City staff for their efforts.

Representatives Lozano, Cobos and Cushing commented.

Mr. Mark Alvarado, Neighborhood's First Liaison, commented.

Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to **APPROVE** the above Resolution.

.....  
Motion made by Representative Lozano, seconded by Representative Ortega and unanimously carried to **APPROVE** BT2005-652 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$670,082.60 to the Montwood Street and Drainage project. Funding source is reimbursed expenditures from EPWU.

Increase	\$670,082.60	to	31255008/PBE04ST11927695/405067	ReimbExpend
Increase	\$670,082.60	to	31255008/PBE04ST11927695/508027	Construction

Representative Rojas asked questions of Ms. Patricia D. Adauto, Deputy City Manager for Building and Planning Services.

.....  
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** BT2005-654 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,149,262 to the Central Business District Phase III project. Funding source is reimbursed expenditures from EPWU.

Increase	\$1,149,262	to	31255008/PPWST0300127695/405067	ReimbExpend
Increase	\$1,149,262	to	31255008/PPWST0300127695/508027	Construction

There was no discussion.

.....  
Motion made by Representative Lozano, seconded Representative Cushing and unanimously carried to **APPROVE** BT2005-671 BUILDING AND PLANNING SERVICES

On behalf of the Health Department, Building and Planning Services proposes to appropriate \$982,908 to fund construction of the Health Administration Phase II project. Funding source is Dept of Health & Human Services Health Resources and Services Administration grant.

Increase	\$982,908	to	41150015/PPW020305534/406000	FedGrantProc
Increase	\$ 2,000	to	41150015/PPW020305534/508022	Administration
Increase	\$ 10,000	to	41150015/PPW020305534/508051	Prog Mgmt
Increase	\$912,178	to	41150015/PPW020305534/508027	Construction
Increase	\$ 19,365	to	41150015/PPW020305534/508026	Inspections
Increase	\$ 19,365	to	41150015/PPW020305534/508024	Testing
Increase	\$ 20,000	to	41150015/PPW020305534/508035	Comm Equip

There was no discussion.

Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to **TERMINATE** with Custom Products Corporation, Contract No. 2003-191 for Aluminum Sign Blanks, for default pursuant to Clause No. 18B of the Contract, an item titled Termination for Default, whereby the City reserved the right to terminate the Contract for default.

The user Department was notified & a new solicitation will be issued.

Department: Street Department

Mr. Byron Johnson, Director of Purchasing, commented and responded to comments made by Representative Cushing.

.....  
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections of the City of El Paso has conducted an investigation and has reported to the City Council in writing that he is of the opinion that the mobile home located on the property at 10121 Dyer Street Space 32 in El Paso, Texas, which property is more particularly described as follows:

Lots: 7, 8, 9, and 10, First Supplemental Map of Parkland Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 16, Page 62, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Lilian Heller, Trustee for the Heller Family Trust, 7909 Big Bend, El Paso, Texas 79904 and Guadalupe Villa, 5616 Tropicana Avenue, El Paso, Texas 79924, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on February 22<sup>nd</sup>, 2005; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the mobile home located on said property is unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the mobile home is not in substantial compliance with municipal ordinances regulating structural integrity and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. Since the owners have failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structure cannot be repaired.
2. That the City Council hereby orders Owners to comply with the following requirements:
  - a. That the mobile home be demolished and removed within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That the Owners of said mobile home are hereby ordered to comply with all requirements of the Resolution; and



- d. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish and remove the mobile home and clean the premises of all weeds, trash, and debris; and
  - e. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish and remove the mobile home and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish and remove the mobile home and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with the demolition and removal of the mobile home and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the demolition and removal of the mobile home and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
  - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within thirty (30) days after notice of this Resolution. The findings shall become final after thirty (30) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and read the Department's recommendations into the record.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to **APPROVE** the above Resolution.

Representatives Cushing and Escobar were not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **DELETE** a public hearing to determine if the property located at 5557 Peinado Lane, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 31<sup>st</sup>, 2004. The owner of this property, John W. Bair, 10908 Golden Pond Drive, El Paso, Texas 79934, has been notified of the violations at this property.

Representative Lozano was not present for the vote.

.....  
**RESOLUTION**

WHEREAS, the Director for Building Permits and Inspections of the City of El Paso has conducted an investigation and has reported to the City Council in writing that he is of the opinion that the structure located on the property at 4001 Laredo Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lots: 19 and 20, Block 44, W. B. Latta's Addition to the City of El Paso, "Woodlawn", an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 13, Page 53, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Estate of Juana C. Saucedo, C/O Jesus & Cecilio Saucedo, 11717 Corral Palm, El Paso, Texas 79936, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on February 22<sup>nd</sup>, 2005; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structure located on said property is unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structure is not in substantial compliance with municipal ordinances regulating structural integrity and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. Since the owner has failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structure cannot be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
    - a. That the Building be demolished within (30) days; and
    - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
    - c. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
    - d. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and
  3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
  4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and
  5. That the costs incurred by the City in connection with demolishing the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
  6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
    - a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
    - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
    - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
  7. That upon failure of the Owner, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within thirty (30) days after notice of this Resolution. The findings shall become final after thirty (30) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and read the Department's recommendations into the record.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to **APPROVE** the above Resolution.

.....  
**ORDINANCE 16000**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON BURGUNDY DRIVE BETWEEN VERDUN WAY AND A POINT 1,200 FEET NORTH OF ESCOBAR DRIVE, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rick Conner, City Engineer, commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cushing, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos		
NAYS:	None	Absent:	None

Whereupon the Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....

**ORDINANCE 16001**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND WESTERN REFINING COMPANY, L. P. FOR PROPERTY LEGALLY DESCRIBED AS COLLINGSWORTH SURVEY 14, TRACTS 1-A, 1-C, AND 1-E AND PORTION OF TRACTS 1-B AND 1-G, EL PASO, EL PASO COUNTY, TEXAS INCLUDING THE IMPROVEMENTS THEREON, ALSO KNOWN AS THE CLARK FACILITY.**

Representatives Cushing, Austin, Lozano, Cushing, Cobos, Escobar, Cook, and Ortega commented.

The following City staff members commented:

1. Ms. Terri Cullen-Garney, Deputy City Attorney
2. Mr. Gonzalo Cedillos, Financial and Administrative Services,
3. Ms. Joyce Wilson, City Manager
4. Mr. William Studer, Deputy City Manager

**1<sup>st</sup> Motion:**

Representative Lozano moved to approve, Representative Rojas seconded. No roll call was taken.

**2<sup>nd</sup> Motion:**

Motion made by Representative Austin, seconded by Representative Ortega and carried to **APPROVE THE AMENDMENT** to the ordinance as read into the record by Ms. Terri Cullen-Garney, Deputy City Attorney.

AYES: Representatives Austin, Cook, Ortega, Escobar, Rojas and Cobos

NAYS: Representatives Cushing and Lozano

The City Clerk called for public comment. There was no public comment.

**3<sup>rd</sup> and Final Motion:**

Motion duly made by Representative Cook, seconded by Representative Rojas, that the Ordinance be **ADOPTED AS AMENDED**. Whereupon the Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED AS AMENDED**.

**ORDINANCE 16002**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF WFF INDUSTRIES PARK UNIT ONE, REPLATS A&B AND A PORTION OF WFF INDUSTRIES PARK UNIT TWO, EL PASO, EL PASO COUNTY, TEXAS, FROM M-1 (LIGHT MANUFACTURING) TO R-5 (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval. He explained that one individual was opposed to the rockwall and another individual opposed the size of the park.

Representatives Austin and Rojas commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Deputy Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar and Rojas  
NAYS: None Absent: None

Representative Cobos was not present for the vote.

Whereupon the Deputy Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
**ORDINANCE 16003**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS) OF THE EL PASO MUNICIPAL CODE, BY AMENDING SECTIONS 19.28.010 (CONSTRUCTION OF SUBDIVISION IMPROVEMENTS) TO MODIFY LANGUAGE CONCERNING EXTENSION REQUESTS, AND BY AMENDING 19.28.020 (GUARANTEES) TO MODIFY LANGUAGE REGARDING REQUIRED SECURITY ENSURING COMPLETION OF SUBDIVISION IMPROVEMENTS WHEN REQUESTING EXTENSIONS TO COMPLETE SAME.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended approval. He noted that the development community had approved the ordinance language.

Mr. Richard Schechter, citizen, commented.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Austin, seconded by Representative Escobar, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Whereupon the Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

## ORDINANCE 16004

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE, BY ADDING GOLF DRIVING RANGE AS A USE PERMITTED BY SPECIAL PERMIT IN CHAPTERS 20.12 (R-1, R-2, R-2A, R-3 AND R-3A RESIDENTIAL DISTRICTS), 20.14 (R-4 AND R-5 RESIDENTIAL DISTRICTS), 20.20 (A-1 APARTMENT DISTRICT), 20.22 (A-2 APARTMENT DISTRICT), 20.24 (A-3 APARTMENT DISTRICT), 20.28 (A-O APARTMENT/OFFICE DISTRICT), 20.30 (A-3/O APARTMENT/OFFICE HIGH DENSITY DISTRICT), AND 20.32 (A-M APARTMENT AND MOBILE HOME PARK DISTRICT), AND AMENDING CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) TO ADD A DEFINITION FOR GOLF DRIVING RANGE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Representatives Cobos, Escobar, Cushing, and Austin commented.

The following City staff members commented:

1. Mr. George G. Sarmiento, Director of Planning, Research and Development, gave a Powerpoint presentation (on file in the City Clerk's office).
2. Mr. Rudy Valdez, Chief Urban Planner
3. Mr. Matt Watson, Assistant City Attorney, commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Representative Ortega was not present for the vote.

Whereupon the Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

NOTE: Ordinances 16004 and ordinance 16005 were considered together.

## ORDINANCE 16005

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE, BY ADDING GOLF DRIVING RANGE AS A PERMITTED USE IN CHAPTERS 20.36 (C-1 COMMERCIAL DISTRICTS) AND 20.38 (C-2 COMMERCIAL DISTRICTS), AND AMENDING CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) TO ADD A DEFINITION FOR GOLF DRIVING RANGE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

See discussion for ordinance 16004.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Representative Ortega was not present for the vote.

Whereupon the Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

NOTE: Ordinances 16004 and ordinance 16005 were considered together.

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**ORDINANCE 16006**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 013980, AS AMENDED BY ORDINANCES 014787 AND 015374, WHICH GRANTED A SPECIAL PRIVILEGE TO KELLER & AZAR JOINT VENTURE, INC. (OWNER), AND BOEING NORTH AMERICAN, INC. (LESSEE), TO PERMIT THE TEMPORARY USE OF A PORTION OF THREADGILL AVENUE FOR SECURITY PURPOSES, BY EXTENDING THE TERM THROUGH MARCH 17, 2010 AND BY AUTHORIZING AN ASSIGNMENT AND TRANSFER FROM KELLER & AZAR JOINT VENTURE, INC. (OWNERS) TO WES UHLMAN & ASSOCIATES, INC./MALLARD EL PASO LIMITED PARTNERSHIP (OWNERS) AND FROM BOEING NORTH AMERICAN, INC. (LESSEE) TO THE BOEING COMPANY (LESSEE).**

There was no discussion.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Escobar, that the Ordinance be **ADOPTED**. Whereupon the Deputy Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Ortega, Escobar and Rojas  
NAYS: None Absent: None

Representatives Cushing and Cobos were not present for the vote.

Whereupon the Deputy Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
**ORDINANCE 16007**

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING THE CITY'S INTEREST IN TWO PARCELS OF PROPERTY, EACH .03 ACRES IN SIZE, ONE LOCATED WITHIN LOT 4, BLOCK 218, CAMPBELL ADDITION, THE OTHER LOCATED WITHIN LOT 16, BLOCK 218, CAMPBELL ADDITION, BOTH WITHIN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation.



The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Rojas, that the Ordinance be **ADOPTED**. Whereupon the Deputy Mayor Pro-Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar and Rojas  
NAYS: None Absent: None

Representative Cobos was not present for the vote.

Whereupon the Deputy Mayor Pro-Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to accept the Dedication Deed from COLONY PARTNERS L.P. a Texas Limited Partnership by its General Partner, Colony Partners Management, L.L.C., conveying to the City of El Paso a 3.71 acre parcel of land, more or less, being a portion of Tract 1B2, Nellie D. Mundy Survey No. 242, *City of El Paso, El Paso County, Texas*, for parkland purposes and in exchange for parkland credits pursuant to Title 19 (Subdivisions) of the El Paso Municipal Code; and be further authorized to sign an agreement concerning such conveyance of property to the City of El Paso.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval. He added that there was no opposition to the zoning change request.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Austin, seconded by Representative Escobar and unanimously carried to **APPROVE** the above Resolution.

Representative Cobos was not present for the vote.

.....  
Item: City Manager's report of current events and issues:

- a. Update of Capital Improvements Program, including capital project status (all funds) and 10-year plan development.
- b. Presentation of the 2004 annual report of the El Paso Police Department pertaining to their analysis of the race and ethnicity information collected in conjunction with traffic stops, as required by Article 2.132, Code of Criminal Procedure.

Ms. Patricia Adauto, Deputy City Manager for Building and Planning Services, provided copies of the 2000 Quality of Life Status Report and 2004 Bond Status Report and commented (copies of reports on file in the City Clerk's office).

The 2004 El Paso Police Department annual report pertaining to the department's analysis of race and ethnic information collected in conjunction with traffic stops was presented to the City Council by Police Chief Richard Wiles, as required by Article 2.132, Code of Criminal Procedure.

**ADDITION TO THE AGENDA**

\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request authorizing to allocate \$1,000.00 from District 3 Discretionary Funds to the El Paso Public Library and El Paso City Parks to co-sponsor 2005 Dia De Los Niños/Dia De Los Libros. Department ID #01010003; Account #504420; Fund #01101; Class #01001

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **APPROVE** the request authorizing to allocate a total of \$322 from District 3 Discretionary Funds to pay for fourteen (14) Neighborhood Watch Signs (at \$23 each) requested by the San Juan Neighborhood Association; and that the Mayor be authorized to sign; and the City Attorney's Office be authorized to negotiate a contract with the organization regarding the purchase and placement of the signs. Department ID #01010003; Account #504420; Fund 01101; Class #01001

Representative Lozano was not present for the vote.

.....  
\*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **POSTPONE ONE (1) WEEK** the following Executive Session item:

Ranchos Real IV, Ltd., vs. The City of El Paso; Cause No. 2001-3371. (551.071)

Representative Lozano was not present for the vote.

.....  
Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to **ADJOURN** this meeting at 1:50 p.m.

Representatives Cushing and Cobos were not present for the vote.

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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk